

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Labour Employment Training & Factories Department – Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal – Trapped by Anti Corruption Bureau on 22.10.1997- Prosecution sanctioned – Acquitted by the Anti Corruption Bureau Court – Appeal filed by Director General, Anti Corruption Bureau in the High Court against acquittal orders –Dismissed the Criminal Appeal filed by Anti Corruption Bureau – Further action dropped - Suspension period treated as “on duty” - Orders – Issued

LABOUR, EMPLOYMENT, TRAINING & FACTORIES (VIG) DEPARTMENT

G.O.Ms.No. 89

Dated : 17.12.2012
Read the Following :-

1. From DG, ACB., Rc.No. 144/RCT-WRL/97-S5, Dated 29.10.1997.
2. Proceedings DCL, No. A1/4515/97, dated 01.12.1997.
3. From DG, ACB., Rc.No. 144/RCT-WRL/97-S5, dated 02.06.1998.
4. G.O.Ms.No. 40, LET&F (Lab.IV) Department, Dated 05.08.1998.
5. From DG, ACB., Rc No. 144/RCT-WRL/97-S5, dated 04.02.2000.
6. G.O.Rt.No. 1205, LET&F (Lab.IV) Department, dated 13.06.2000
7. Judgement the court of SPE&ACB Cases, dated 11.07.2002
8. Representation of Sri C.Venkateswarlu, dated 31.08.2002.
9. Govt. Memo.No. 685/Emp.A3/Vig/2002-1, Dated 15.11.2002.
10. From DG, ACB., Lr Rc.No. 144/RCT-WRL/1995-S5, dated 21.11.2002.
11. Govt. Memo.No. 685/Emp.A3/Vig/2002-2, dated 09.12.2002.
12. Judgment of High Court in CrI. Appeal.No. 128/2003 dated 03.04.2012.
13. Representation of Sri C.Venkateswarulu, Supdt., dated 18.06.2012.
14. Govt. Memo.No. 685/Vig/2002, dated 20.06.2012
15. From DG, ACB., Rc.No. 144/WWL/1997, Dated 30.06.2012.

In the reference 1st read above, the Director General, Anti Corruption Bureau has informed that Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal was trapped by Anti Corruption Bureau Officials on 22.10.1997 when he demanded and accepted an amount of Rs.500/- from Sri Ramgiri Kasiramulu for showing official favour for handing over Banker's Cheque for Rs.42,643/- being the compensation for Sri T.Narasimha Swamy who lost his right eye while working at Singareni Collories mine during 1982. In the reference 2nd read above, on the recommendation of Anti Corruption Bureau he was suspended from service on 01.12.1997 by the Deputy Commissioner of Labour, Warangal.

2. The Director General, Anti Corruption Bureau, has requested to accord sanction for prosecution of the Accused Officer in a court of law vide reference 3rd read above.

3. Accordingly Government have issued orders sanctioning prosecution against Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal in a court of law vide G.O., 4th read above.

4. On the recommendations of the Director General, Anti Corruption Bureau, in the 5th read above, Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal has been reinstated into service vide reference G.O.6th read above.

5. In the reference 7th read above, the Special Protection Embezzlement & Anti Corruption Bureau Court pronounced judgment that Sri C.Venkateswarlu, is found not guilty of offences U/s 7, 13(1) (d) read with section 13(2) of Prevention of Corruption Act, 1988 and he is acquitted for the same U/s 248(1) Cr. P.C.
6. In the reference 8th read above, Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal has represented for regularization his suspension period.
7. In the reference 9th read above, the Government have requested the opinion of Director General, Anti Corruption Bureau on the above acquittal orders of trial court, whether the case is fit for Appeal or not.
8. In the reference 10th read above, the Director General, Anti Corruption Bureau, has opined that there are sufficient grounds to prefer an appeal before the High Court of Andhra Pradesh, on the acquittal orders of the lower Court and requested to permit them to prefer an appeal before the High Court of Andhra Pradesh.
9. In the reference 11th read above, the Government have permitted the Director General, Anti Corruption Bureau, to file an appeal in the High Court against the orders of lower court.
10. In the reference 12th read above, the High Court in its judgement in Criminal Appeal No. 128/2003 dismissed the appeal filed by Director General, Anti Corruption Bureau, confirming the judgement of the trial court.
11. In the reference 13th read above, Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal has represented to Government for regularization of his suspension period as on duty, release of pay and allowances for the period from 01.12.1997 and fixation of his pay as per the Revised pay Scales.
12. In the reference 14th read above, the Government have requested the Director General, Anti Corruption Bureau, to offer his remarks on the acquittal judgement of High Court against Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal.
13. In the reference 15th read above, the Director General, Anti Corruption Bureau has informed that the Hon'ble High Court of Andhra Pradesh dismissed the Criminal Appeal filed by the Anti Corruption Bureau while confirming the judgment of the trial court and opined that no appeal can be preferred as no legal issues were involved in this case except the appreciation of evidence.
14. After careful examination of the matter in detail Government have decided to drop further action against Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal and treated the suspension period as "on duty".
15. Accordingly, Government hereby drop further action against Sri C.Venkateswarlu, Superintendent, O/o Deputy Commissioner of Labour, Warangal and treat the suspension period from 01.12.1997 to 12.06.2000 as "on duty" under Fundamental Rules, 54-(B) (4)

16. The Commissioner of Labour, , Hyderabad shall take further necessary action accordingly and to send the compliance report to Government.

17. This order issues with the concurrence of Finance (FR.II) Department vide their U.O.Note No. 27589/757/FR.II/2012 dated 26.10.2012

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADEHS)

J.C.SHARMA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri C.Venkateswarlu, Superintendent O/o Deputy Commissioner of Labour, Warangal
through the Commissioner of Labour, Andhra Pradesh, Hyderabad.
The Commissioner of Labour, Andhra Pradesh, Hyderabad.

Copy to

The Director General, Anti Corruption Bureau, Andhra Pradesh, Hyderabad.
The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Directorate of Treasures and Accounts, Andhra Pradesh, Hyderabad.
P.S. to Principal Secretary, Labour Employment Training & Factories Department.
P.A. to Joint Secretary, Labour Employment Training & Factories Department.
Sf/Sc.

//Forwarded :: By order//

SECTION OFFICER

